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EXAMINER

ALI, MOHAMMAD

ART UNIT PAPER NUMBER

2177

DATE MAILED: 03/18/2002

RPA 5-18-02

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FINAL

Please find below and/or attached an Office communication concerning this application or proceeding.



ENTERED

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| | | | |
|------------------------------|-------------------------------|------------------------------|--|
| Office Action Summary | Application No. 09/388,261 | Applicant(s) NAGDA ET AL. | |
| | Examiner Mohammad Ali | Art Unit 2177 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s) _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

Response to Arguments

1. This office action is in response to the Amendment filed on March 05, 2002, Paper No. 8.
2. Claims 1-32 are pending in this Office Action. Claims 1, 8, 12-14, 22, 23, and 29 have been amended.
3. After a further search and a through examination of the present application, claims 1-32 are remain rejected.
4. Applicant's arguments filed on March 05, 2002, with respect to claims 1-32 have been fully considered but they are not deemed to be persuasive.
5. The arguments of the response are largely to the limitation of , " customer record in a first database table to query a second database table to access one content file that is generated into the output", and Rick Dedrick ("Dedrick") teaches the claimed invention in view of Tackbary et al. ("Tackbary").
6. In response to the applicant's arguments," accessing at least one content file by querying a second database...". In Dedrick, The end user requests the advertising information in block 210. In block 212, the metering server 14 requests the advertisement from the yellow page server 22, which downloads the advertisement information to the metering server 14. In block 214, the metering server 14 transfers the advertisement to the client system of the end user, credits the end user's account and **records the profile data** of the end users who requested the advertisement. In block 215, the client system 12 customizes the advertisement for consumption by the end user (col. 16 lines 23-32). The publisher/advertiser 18 is provided with software tools to create electronic information which includes content and advertisements that can be transmitted over the system. The electronic information may allow an end user to **access a content database**,...(col. 4 lines 11-23). The interactive process 76 may allow the end user to answer **queries** and take alternate paths to external databases. The interactive model may also allow end user to initiate a **query** with the advertiser requesting follow-up information (col. 14 lines 60-64). When user's access to a content database file they can generate output material.

7. In response to the applicant's arguments, "automatically transforming the output material to a format compatible with the selected delivery option,...". In Tackbary, A mail mode box 615 displayed within the card event dialog box 515 allows the user to choose the method by which the card is to be sent, such as by Federal Express.RTM. 620, United Parcel Service 625, United States Mail 630, or Overnight delivery 635. If the user has chosen a service which may not deliver the card in time for the chosen occasion, the program suggests that the user consider a speedier **method of delivery** (col. 9 lines 7-15, Fig. 5, Abstract).
8. In response to the applicant's arguments, "...format compatible,...". In Dedrick, The content adapter 25 customizes electronic content to the individual end user based on the user profile data contained in personal profile database 27. Electronic content received by system 12 from metering server 14 may include fields which can be customized. Which fields can be customized may be indicated in a header block received with the electronic content. For example, a unit of electronic information may be received with a particular field having the default color of green. If personal profile database 27 contains sufficient data regarding color preferences for the individual end user, then content adapter 25 changes the color of that particular field from green to whatever color preference is contained in personal profile database 27 for that individual end user. Similarly, the default consumption format may be video, but if personal profile database 27 indicates that the end user prefers audio **format**, then content adapter 25 delivers the audio format version of the electronic information to the client interface 23 rather than the video version (col. 6 lines 34-52).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

"A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person."

If this application currently names joint inventors, the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary in considering patentability of the claims under 35 U.S.C. § 103. Applicant is advised of the obligation under 37 C.F.R. § 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of potential 35 U.S.C. § 102(f) or (g) prior art under 35 U.S.C. § 103.

10. Claims 1-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,717,923 issued to Rick Dedrick et al. ("Dedrick") in view of US Patent 5,555,496 issued to Tackbary et al. ("Tackbary").

11. Dedrick renders obvious independent claim 1 by the following:

generating customer a record in a first database table to include fields specifying at least one product, customer preferences, and a selected output method to generated output material on the product specified in the customer record (Figs. 2-3, col. 15 lines 45-57, col. 6 lines 34-52);

receiving at least one customer record in the first database to process (col. 16 lines 27-30);

accessing at least one content file (Fig. 3) by querying a second database table (Fig. 3) using values in one received customer record (Fig. 3, col. 16 lines 23-32, Abstract);

generating the content,..., material (Fig. 2-3, col. 1 lines 22-42);

determining a selected one of a plurality from the customer record (col. 2 lines 3-24); and

transmitting the output material to the customer specified in the customer record (col. 2 lines 3-24, col. 16 lines 27-30).

Dedrick does not explicitly teaches the delivery options in respect to the customer.

Tackbary does teaches delivery options in respect to the customer at (col. 9 lines 7-15, col. 1 lines 10 to col. 2 lines 67, Figs. 1, 5).

Thus it would have been obvious to one ordinary skilled in art at the time of the invention was made to add the delivery options in customer preferences of Tackbary in the customer record database and content file of Dedrick in order to improve the delivery options from the customer preferences in the combines system (col. 9 lines 7-15, col. 1 lines 10 to col. 2 lines 67, Figs. 1, 5, Tackbary).

12. Claims 12 and 22 have same subject matter as of claim 1 and essentially rejected for the same reasons.

13. As to claims 2, 13, and 23, the records in the first database are generated by a human operator interacting with a customer to determine customer and preferences (col. 2 lines 2-15, col. 5 lines 34-46).
14. As to claims 3, 14 and 24, generating the customer records comprises executing a mining program against a database including customer information to determine information to populate at least one customer record from the customer (col. 1 lines 37 to col. 2 lines 15).
15. As to claims 4, 15 and 25, members of the set consisting (Abstract, col. 6 lines 33-52)
16. As to claim 5, 16 and 26, automatically transforming the output material to a format compatible..... wherein the transformed output is transmitted to the customer (col. 1 lines 37 to col. 2 lines 15, col. 6 lines 33-52).
17. As to claims 6, 17 and 27, multiple customer records are processed, and wherein the output generated from the customer records differs for at least two customers used to transmit the output differs for at least two customers (col. 1 lines 37 to col. 2 lines 15, col. 16 lines 27-30).
18. As to claim 7, 18, and 28, the output material is automatically transmitted using, after generating the output material,...., address (col. 1 lines 37 to col. 2 lines 15, col. 6 lines 47-52, Abstract).
19. As to claims 8, 19, and 29, processing a template including queries of records in the second database table (col. 1 lines 37 to col. 2 lines 15, col. 14 lines 55-64);
accessing at least one value in a field in one customer record to include in a query against the second database table (col. 1 lines 37 to col. 2 lines 15, col. 14 lines 55-64); and
applying the query against the second database to determine a record associated with a file including fields matching the query, wherein the accessed file is associated with the determined record, and wherein generating the content into the output material comprises generating the content into the template. which forms the output material (col. 1 lines 37 to col. 2 lines 15, col. 14 lines 55-64).
20. As to claims 8, 19, and 29, Official Notice is given that processing a template is well known in the art at the time of the invention. Thus, it would have been obvious to one ordinary skilled in the art at the time of the invention to process a template in order to be record in the database.
21. As to claims 9, 20, and 30, there are multiple files for each query, wherein the records (col. 16 lines 27-30) associated with the files for each query (col. 14 lines 55-64) have different values in at least one field,

wherein determining the record comprises determining the record from the files associated with the query that matches the search criteria (col.1 lines 37 to col. 2 lines 15).

22. As to claims 10, 21, and 31, each query is maintained in a container in the template, wherein the file having the associated record that matches the query (col. 14 lines 55-64) is generated into the container, further comprising resizing the appearance of the file content generated into the containers in the output material (col.1 lines 37 to col. 2 lines 15).
23. As to claim 11 and 32, data from the customer record to insert into the text generated into the container from the accessed file generated into the container (col.1 lines 37 to col. 2 lines 15).

Conclusion

24. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Ali whose telephone number is (703) 605-4356. The examiner can normally be reached on Monday to Thursday from 7:30am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703) 305-9790. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

Mohammad Ali

Patent Examiner

March 13, 2002


JOHN BREENE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100